

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

Gram Panchayats - Appeal petition filed by Smt.M.Mamidi Bhavani, Sarpanch, Sarika Gram Panchayat, Vizianagaram Mandal of Vizianagaram District – Against the proceedings No.1367/2008-A2 dated 28.06.2010 of District Collector (PW), Vizianagaram District – Allowed - Orders – Issued.

=====

**PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT**

**G.O.Rt.NO. 164**

**Dated : 08-02-2011.**

**Read the following:-**

- 1) From the District Collector (PW), Vizianagaram District, Proceedings No.1367/2008-A2 dated 28.06.2010.
- 2) Appeal petition received from Smt. Mamidi Bhavani, Sarpanch, Sarika Gram Panchayat, Vizianagaram Mandal of Vizianagaram District, dt.05.07.2010.
- 3) Govt.Memo No. 15333/Pts.II/A2/2010-1, dated 19.07.2010.
- 4) The Hon'ble High Court of A.P. W.P.No. 17117/2010, dt. 27.07.2010.
- 5) The Hon'ble High Court of A.P. W.P.No. 20491/2010, dt. 18-08-2010.
- 6) From the District Collector(PW), Vizianagaram Rc. No. 1367/2008/A2, dt 7/2010.
7. From the District Panchayat Officer, Vizianagaram Lr No. 1367/2008/A2, dt 10-11-2010.

-X-

**ORDER:-**

In the reference 1<sup>st</sup> read above, the District Collector (PW), Vizianagaram District has removed Smt Mamidi Bhavani from the post of Sarpanch, Sarika Gram Panchayat, Vizianagaram District U/s 249 (i) ( iv) of APPR Act,1994.

2. Aggrieved by the above orders, in the reference 2<sup>nd</sup> read above Smt. Mamidi Bhavani, Sarpanch (Removed), Sarika Gram Panchayat, Vizianagaram District has filed an appeal petition before the Government and requested to suspend the orders passed by the District Collector (PW), Vizianagaram District dt.28.06.2010.

3. In the reference 3<sup>rd</sup> read above the remarks of the District Collector (PW), Vizianagaram has been called by the Government.

4. In the reference 4<sup>th</sup> read above the Petitioner has also filed a WP No. 17117/2010 before Hon'ble High Court. In the reference 5th read above, the Hon'ble High Court has directed to dispose the case within two months.

5. In the reference 6<sup>th</sup> read above the District Collector (PW), Vizianagaram has submitted his report. He has stated that the Sarpanch has misappropriated an amount of Rs. 10,25,972/- hence she was removed from the Post of Sarpanch.

6. The case was heard on 11.10.2010. The Revision Petitioner and her Advocate appeared. The District Panchayat Officer in charge, Extension Officer PR&RE are also present. During the hearing the Revision petitioner could not offer satisfactory reply for grounding the works without the approval of the Gram Panchayat and without budget allocation. It

(Contd.2)

is seen from the records that all the works were entrusted to a single individual and the payment was made in cash contrary to the rules. The District Panchayat Officer is directed to visit the village personally and inspect whether the works were actually executed as per the standards and whether they have been measured and check measured by the Engineering Department by adjourning the case. The case was again heard on 29.10.2010. The Revision Petitioner has stated that the District Panchayat Officer has not inspected the works executed in the Panchayat as ordered. The District Panchayat Officer has informed that he would visit the village and submit the report within ten days. Hence the case was adjourned to 15-11-2010 by giving instructions to the District Panchayat Officer to visit the village personally and inspect the works said to have been executed and send his report. The case was again heard on 17-01-2011.

7. In the reference 7<sup>th</sup> read above the District Panchayat Officer has stated that as per directions of the Government he was inspected the works of Sarika Gram Panchayat along with the then Mandal Engineering Officer and also certain others and inspected in physically and found that the works have been taken properly and entries have also made in the Registers.

8. Government after careful examination of the matter and after examination of material available in the records, the Appeal Petition filed by Smt. Mamidi Bhavani, Sarpanch (Removed), Sarika Gram Panchayat, Vizianagaram District is hereby allowed by set aside of the orders of District Collector (PW), Vizianagaram issued vide reference 1st read above.

9. The District Collector (PW), Vizianagaram District shall take necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The District Collector (PW), Vizianagarm District.  
The District Panchayat Officer, Viz ianagaram District.  
The Commissioner, Panchayat Raj & Rural Employment, AP., Hyderabad.

**Copy to:**

Smt Mamidi Bhavani, Sarpanch (Removed), Sarika Gram Panchayat, Vizianagaram  
The P.S. to Minister (PR)  
The P.S. to Prl.Secretary to Government (PR)  
SF/SC.

// FORWARDED BY ORDER//

SECTION OFFICER